IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

FRIDAY, THE 13TH JULY 2007 / 22ND ASHADHA 1929

WP(C).No. 20527 of 2007(R)

PETITIONER:
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1. ASHARAFUDEEN,
S/O.LATE SAYED MAZOOD RAWTHER,
MULLOOR THEKKEKKARA PUTHEN VEEDU,
MANKODU (P.O), MANAKKATTUPUZHA,
PATHANAMTHITTA DISTRICT.

2. SUBAIR, AYOOB KHAN VILASAM,
KARISANAM KODU, POONKULANJI (P.O),
PATHANAPURAM.

BY ADV. SRI.V.PHILIP MATHEWS

RESPONDENTS:
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1. THE S.I. OF POLICE, KOODAL.

2. THE C.I. OF POLICE, KONNY.

3. S.JAMAL, CONVENOR, C.I.T.U. UNION,
MANKODU UNIT, PATHANAPURAM.

4. ASOKAN, CONVENOR, A.I.T.U.C. UNION,
MANKODU UNIT, PATHANAPURAM.

5. YUSUF, CONVENOR K.T.U.C(M) UNION,
MANKODU UNIT, PATHANAPURAM.

6. SAYED MAZHOOD, CONVENOR, K.T.U.C.(B),
-DO- -DO-

7. AHAMED, CONVENOR I.N.T.U.C.(I)
-DO- -DO-

8. SUNNY, CONVENOR, I.N.T.U.C., THIDIYAL
UNIT, KALANJOOR, PATHANAPURAM.

9. SHAJI, CONVENOR, K.T.U.C., -DO- -DO-

10. MAZHOOD, CONVENOR, A.I.T.U.C., -DO- -DO

11. ANIL, CONVENOR, C.I.T.U, -DO- -DO-

12. P.N.RAJAN, CONVENOR, B.M.S., -DO- -DO-

13. SOMARAJAN, CONVENOR, R.S.P., -DO- -DO-

14. MURALEEDHARAN NAIR,
S/O.PADMANABHAN,
MURALI VILASOM, KALANJOOR (P.O).

15. BIJU MATHEW, KALEKKAL HOUSE,
S/O.MATHEW, NEAR KANKODU SCHOOL,
MANKODU.

BY ADV. SRI.P.RAMAKRISHNAN
SRI.C.ANIL KUMAR
SRI.S.MUHAMMED HANEEFF
SMT. K.R. DEEPA, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: TRUE COPY OF AGREEMENT DATED 22.04.2005.

EXT.P2: TRUE COPY OF AGREEMENT DATED 22.09.2005.

EXT.P3: TRUE COPY OF COMPLAINT SUBMITTED BY THE FIRST PETITIONER DATED 27.06.2007 BEFORE THE FIRST RESPONDENT.

EXT.P4: TRUE COPY OF COMPLAINT SUBMITTED BY THE SECOND PETITIONER DATED 23.06.2007 BEFORE THE 1ST RESPONDENT.

EXT.P5: TRUE COPY OF JUDGMENT IN W.P.(C) NO. 3967/2005(V) DATED 03.02.2005 BEFORE THE HON'BLE HIGH COURT OF KERALA, ERNAKULAM.

RESPONDENTS' EXHIBITS:

EXT.R9(A): TRUE COPY OF IDENTITY CARD ISSUED TO S.SULAIMAN RAWTHER.

EXT.R9(B): TRUE COPY OF AGREEMENT DATED 15.12.2004.

EXT.R9(C): TRUE COPY OF AGREEMENT DATED 15.07.2005.

EXT.R9(D): TRUE COPY OF AGREEMENT DATED 10.08.2005.

EXT.R9(E): TRUE COPY OF AGREEMENT DATED 10.06.2007.

EXT.R9(F): TRUE COPY OF JUDGMENT DATED 21.2.07 W.P.(C) 4919/07.

EXT.R9(G): TRUE COPY OF AGREEMENT DATED 07.07.2007 BETWEEN THE 1ST PETITIONER AND RESPONDENTS 8 TO 13.

EXT.R9(H): TRUE COPY OF AGREEMENT DATED 07.07.2007 BETWEEN THE 1ST PETITIONER AND RESPONDENTS 8 TO 13.

/True Copy/

P. A to Judge.

KURIAN JOSEPH & T.R. RAMACHANDRAN NAIR, JJ

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W.P.(C) NO. 20527 OF 2007

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Dated this the 13th day of July, 2007.

JUDGMENT

Kurian Joseph,J

The learned counsel appearing for the respondents 3 to 5 submits that there is a subsisting agreement between the petitioners and respondents 3 to 5. The learned counsel for the respondents 8 to 13 submits that after filing this writ petition, they have entered into an agreement with the petitioners on 07.07.2000. There will be a direction to respondents 1 and 2 to see that the petitioners are permitted to cut and remove the rubber trees as per the agreements executed by them with the unions/parties.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

T.R. RAMACHANDRAN NAIR, JUDGE.

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